

ZB# 78-19

Monarch Metal Products

9-1-52

Public Hearing  
June 26, 1978  
8:15 pm.

(OCD not involved).

Fee paid

Granted 6/26/78.

Final decision

# GENERAL RECEIPT

3715

TOWN OF NEW WINDSOR  
555 Union Avenue  
New Windsor, N. Y. 12550

RECEIVED OF Monerup Metal Products June 27 1978  
Fifty and 00/100 \$ 50.00  
DOLLARS

FOR Variance application fee # 78-19

DISTRIBUTION:

FUND	CODE	AMOUNT
50.00		
Check		

BY Charlotte Marcantonio

Deputy

TITLE

Williamson Law Book Co., Rochester, N. Y. 14609

Legal Notice  
**PUBLIC NOTICE OF  
 HEARING BEFORE  
 ZONING BOARD OF APPEALS  
 TOWN OF NEW WINDSOR**  
 PLEASE TAKE NOTICE that the  
 Zoning Board of Appeals of the  
 TOWN OF NEW WINDSOR, New  
 York will hold a Public Hearing pur-  
 suant to Section 48-33A of the Zoning  
 Ordinance on the following  
 proposition:  
 Appeal No. 19  
 Request of Monarch Metal  
 Products, Inc. for a VARIANCE of  
 the regulations of the Zoning Or-  
 dinance, to permit A decrease in  
 side yard and corresponding in-  
 crease in building height, being a  
 VARIANCE of Section 48-12 Table of  
 Bulk Regulations: - Part II for  
 property situated as follows:  
 West Side of Mac Arthur Avenue,  
 Town of New Windsor, New York,  
 Section 9, Block 1, Lot 52.  
 SAID HEARING will take place on  
 the 26th day of June, 1978, at the New  
 Windsor Town Hall, 555 Union  
 Avenue, New Windsor, N.Y. begin-  
 ning at 8:15 o'clock p.m.  
**MARK STORTECKY,**  
 Chairman  
 By: Patricia Razansky,  
 Secretary  
 June 17

**State of New York**

**County of Orange, ss:**

Olga Trachewsky

, being duly sworn deposes and  
 says that he is ..... Principal Clerk  
 of Newburgh-  
 Beacon News Co., Inc., Publisher of The Evening News.  
 a daily newspaper published and of general circulation in  
 the Counties of Orange and Dutchess, and that the notice  
 of which the annexed is a true copy was published .....  
 ..... One Time .....  
 in said newspaper, commencing on the ..... 17th  
 ..... June ..... A.D., 19 78 , and ending on  
 the ..... 17th ..... day of June ..... A.D., 19 78

**Subscribed and sworn to before me this**  
 ..... 20th ..... day of June ..... 19 ..... 78

*Olga Trachewsky*

*Robert McClintock*

**Notary Public of the State of New York, County of Orange.**

**MY COMMISSION EXPIRES MARCH 30, 19 80**

RECEIVED

JUN 22 1978

WITFIELD AND REMICK ARCHITECTS

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

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In the Matter of the Application of  
MONARCH METAL PRODUCTS, INC.

DECISION GRANTING  
AREA VARIANCES

Application #78-19.

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WHEREAS, MONARCH METAL PRODUCTS, INC. of MacArthur Avenue, Town of New Windsor, New York, has made application for area and height variances to permit the construction of an addition to the northerly side of the existing building, in a PI (Planned Industrial) zone; and

WHEREAS, the applicant seeks a 13 ft. side yard variance and a 36 ft. height variance; and

WHEREAS, the applicant was represented by Mr. Roy Thomson of Witfield & Remick, who are the architects involved, of 35 Wisner Avenue, Newburgh, New York; and

WHEREAS, the application was unopposed.

WHEREAS, the Zoning Board of Appeals makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Evening News, also as required by law.

2. The evidence shows that the variance sought to expand a commercial usage in an already well-developed commercial zone and that the expanded usage will not alter the character of the neighborhood.

3. The evidence shows that denial of the variances will result in significant economic injury to the owner of the property due to the limited use for the property as presently constructed and that there are no reasons of public health, safety or welfare which compel the denial of the application.

WHEREAS, the Zoning Board of Appeals makes the following findings of law in this matter:

1. That notice of the public hearing was duly sent to residents and businesses as prescribed by law and published in The Evening News also as required by law.
2. The applicant will encounter practical difficulty in expanding its business if the variance is not granted.
3. The owner's expansion cannot be done in any other feasible method within the present zoning ordinance.
4. The proposed variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood.
5. Granting the variance is in the interest of justice.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor grant area variances to MONARCH METAL PRODUCTS, INC. for the expansion of a business in a PI (Planned Industrial) zone.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant's agent.

Dated: <sup>Aug. 14,</sup> ~~July 10,~~ 1978.

Mark Storteky  
CHAIRMAN

(914) 565-8550

555 Union Avenue  
New Windsor, N. Y.  
June 27, 1978

Monarch Metal Products, Inc.  
MacArthur Avenue  
New Windsor, N. Y. 12550

Attn: Mr. Richard A. Bayles

RE: APPLICATION FOR AREA VARIANCES BEFORE THE NEW WINDSOR  
ZONING BOARD OF APPEALS  
#78-19

Dear Mr. Bayles:

Kindly be advised that the Zoning Board of Appeals of the Town of New Windsor approved your application for area variances at its meeting held on Monday evening, June 26, 1978.

Formal decision will follow by return mail.

Very truly yours,

PATRICIA RAZANSKY DELIO,  
Secretary

/pd

cc: Witfield & Remick  
Attn: Mr. Roy Thomson

Ernest Spignardo, Chairman  
New Windsor Planning Board

Howard Collett, Bldg./Zoning Inspector

TOWN OF NEW WINDSOR  
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

# 78-19  
(Number)

June 12, 1978  
(Date)

I. Applicant information:

- Monarch Metal Products, Inc. - Mac Arthur Avenue - New Windsor
- (a) New York, Att: R. Bayles, Pres. (562-3100)  
(Name, address and phone of Applicant)
- (b) \_\_\_\_\_  
(Name, address and phone of purchaser or lessee)
- (c) \_\_\_\_\_  
(Name, address and phone of attorney)
- (d) \_\_\_\_\_  
(Name, address and phone of broker)

II. Application type:

- ☐ Use variance
- ☒ Area variance
- ☐ Sign variance
- ☐ Special permit

III. Property information:

- (a) PI Mac Arthur Avenue 1 52 ±5.8 Acres  
(Zone) (Address) (M B L) (Lot size)
- (b) What other zones lie within 500 ft.? None
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? 1952
- (e) Has property been subdivided previously? No When? \_\_\_\_\_
- (f) Has property been subject of variance or special permit previously? No When? \_\_\_\_\_
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? No If so, when \_\_\_\_\_
- (h) Is there any outside storage at the \_\_\_\_\_

# 78-19  
(Number)

June 12, 1978  
(Date)

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- Monarch Metal Products, Inc. - Mac Arthur Avenue - New Windsor
- (a) New York, Att: R. Bayles, Pres. (562-3100)  
(Name, address and phone of Applicant)
- (b) \_\_\_\_\_  
(Name, address and phone of purchaser or lessee)
- (c) \_\_\_\_\_  
(Name, address and phone of attorney)
- (d) \_\_\_\_\_  
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- (b) What other zones lie within 500 ft.? None
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? 1952
- (e) Has property been subdivided previously? No When? \_\_\_\_\_
- (f) Has property been subject of variance or special permit previously? No When? \_\_\_\_\_
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? No. If so, when \_\_\_\_\_
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail. None

☐ IV. Use variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_, to allow

(Describe proposed use)

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

☒ V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yard _____	_____	_____
✓ Reqd. Side Yards <u>1</u>	<u>2' *</u>	<u>13'</u>
Reqd. Rear Yard _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
✓ Max. Bldg. Hgt. _____	<u>19' **</u>	_____
Min. Floor Area* _____	_____	_____
Development Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____

\* Residential districts only

\*\* Non-residential districts only

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.



V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yard _____	_____	_____
✓ Reqd. Side Yards <u>8</u>	<u>2' *</u>	<u>13'</u>
Reqd. Rear Yard _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
✓ Max. Bldg. Hgt. _____	<u>19' **</u>	_____
Min. Floor Area* _____	_____	_____
Development Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____

\* Residential districts only

\*\* Non-residential districts only

\* Existing side yard is 2'-0".

\*\* Proposed addition will match high portion of existing structure.

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.

A recent increase in business requires that internal warehousing facility be increased. Manufacturing and assembly activities cannot be relocated without excessive cost and substantial decrease in productivity. The only practical location for Phase I and Phase II addition is as indicated on the Plan.

☐ VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
<hr/>			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

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- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

\_\_\_\_\_

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VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
<hr/>			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

\_\_\_\_\_

☐ VII. Special Permit:

- (a) Special permit requested under New Windsor Zoning Local Law, Section \_\_\_\_\_, Table \_\_\_\_\_, Column \_\_\_\_\_.
- (b) Describe in detail the use and structures proposed for the special permit.

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☐ VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

Applicants property is located well into the PI zone and  
the quality of the adjacent area cannot possibly be  
affected in an adverse manner by the granting of this  
Variance. In fact, surrounding properties adversely  
affect this Owner's property.

☐ IX. Attachments required:

- \_\_\_ Copy of letter of referral from Building and Zoning Inspector.
- \_\_\_ Copy of contract of sale, lease or franchise agreement.
- \_\_\_ Copy of tax map showing adjacent properties
- \_\_\_ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- \_\_\_ Copy(ies) of sign(s) with dimensions.
- \_\_\_ Check in amount of \$ \_\_\_\_\_ payable to Town of New Windsor.
- Photos of existing premises which show all present signs and landscaping:

- (v) Describe in detail the use and structures proposed for the special permit.

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VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

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- \_\_\_ Copy(ies) of sign(s) with dimensions.
- \_\_\_ Check in amount of \$\_\_\_\_\_ payable to Town of New Windsor.
- Photos of existing premises which show all present signs and landscaping.
- All photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper.
- \_\_\_ Other

(Official Use Only)

X. AFFIDAVIT.

Date June 12, 1978

STATE OF NEW YORK)

) SS.:

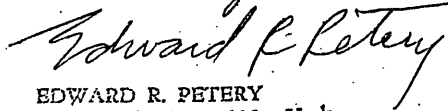
COUNTY OF ORANGE )

The Undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

  
(Applicant)

Sworn to before me this

13 day of June, 1978.



EDWARD R. PETERY  
Notary Public in the State of New York  
Resident in and for Ulster County  
Commission Expires March 30, 1980

XI. ZBA Action:

(a) Public Hearing date \_\_\_\_\_

(b) Variance is \_\_\_\_\_

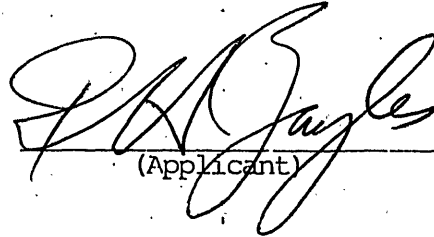
(c) Special Permit is \_\_\_\_\_

(d) Conditions and safeguards \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

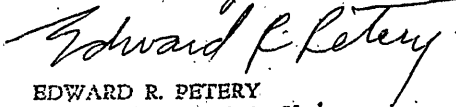
A FORMAL DECISION WILL FOLLOW  
WHICH WILL BE ADOPTED BY RESO-  
LUTION OF ZONING BOARD OF APPEALS.

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- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

A FORMAL DECISION WILL FOLLOW  
WHICH WILL BE ADOPTED BY RESO-  
LUTION OF ZONING BOARD OF APPEALS.

ZONING BOARD OF APPEALS  
Town of New Windsor, New York 12550  
(914) 565-8550

*Monarch Metal Products  
Inc.*

555 Union Avenue  
New Windsor, N. Y. 12550  
June 5, 1978

Witfield & Remick  
35 Wisner Avenue  
Newburgh, N. Y. 12550

RE: APPLICATION FOR VARIANCE (AREA) BEFORE ZONING BOARD OF APPEALS  
TOWN OF NEW WINDSOR  
Application #78-19

Gentlemen:

In accordance with a telephone conversation of this date between myself and a member of your staff, enclosed please find application for a variance, Public Notice of Hearing form and procedure for public hearing.

Kindly contact Mr. Collett, Building/Zoning Inspector for the Town of New Windsor before submitting these applications.

This matter can be placed on the ZBA agenda if need be for either the June 12th or June 26th meeting.

I'll await word from the Building/Zoning Inspector's Office before I schedule a preliminary meeting on the above matter.

Thank you.

Very truly yours,

*Patricia Razansky*  
PATRICIA RAZANSKY, Secretary

/pr

Enclosures

cc: Howard Collett, Bldg./Zoning Inspector  
Town of New Windsor

*Article III 48-9  
Column A  
P1 #4*

*Variance Request  
(1) 13' Side Yd Variance  
(2) 36' height Variance  
for addition to Northside  
Side of existing Bldg.  
H2*

PUBLIC NOTICE OF HEARING BEFORE

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

JUN 15 1978

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the  
TOWN OF NEW WINDSOR, New York will hold a Public Hearing  
pursuant to Section 48-33A of the Zoning Ordinance on the  
following proposition:

Appeal No. 19

Request of Monarch Metal Products, Inc.

for a VARIANCE ~~SPECIAL-USE PERMIT~~ of

the regulations of the Zoning Ordinance, to permit

A decrease in side yard and corresponding increase  
in building height.

being a VARIANCE ~~SPECIAL-USE PERMIT~~ of

Section 48-12 Table of Bulk Regulations - Part II

for property situated as follows:

West Side of Mac Arthur Avenue, Town of New Windsor,  
New York,  
Section 9, Block 1, Lot 52

SAID HEARING will take place on the 26 day of June, 1978,  
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y.  
beginning at 8:15 o'clock P. M.

Mark Storteky  
Chairman

By: Patricia Razansky, Secretary



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman  
~~XXXXXXXXXX~~  
Bisworth E. Weyant  
555 Union Avenue  
New Windsor, New York 12550  
(914) 565-8808

June 13, 1978

Dellop Realty Corp.  
C'O Monarch Metal Products  
P.O. Box 4081  
New Windsor, N.Y. 12550

RE: 9-1-52

Gentlemen:

According to my records, the attached list of property owners are within the five hundred (500) feet of the above mentioned property.

The charge for this service is \$15.00. Please remit same to the Town Clerk, town of New Windsor,

Very truly y ours,

PAULA KING  
Acting Assessor  
Town of New Windsor

pk  
att.



1763

## OFFICE OF THE ASSESSOR

## TOWN OF NEW WINDSOR

Chairman  
~~Ellsworth E. Weyant~~  
~~555 Union Avenue~~  
New Windsor, New York 12550  
(914) 565-8808

✓ Amoia, Anthony  
MD#42 Ruscitti Road  
New Windsor, N.Y. 12550

✓ Kaiser, John J. & Geo. R.  
Pajer, Nadia  
25 Division Place  
Brooklyn, N.Y. 11222

✓ Westchester Concrete Inc.  
P.O. Box 276  
2000 Maple Hill St.  
Yorktown Heights N.Y. 10598

✓ TOSE Inc.  
64 W. 4th Street  
Bridgeport, Pa. 19405

✓ Plaza Materials Corp.  
969 Midland Avenue  
Yonkers, N.Y. 10704

✓ Occupations, Inc.  
Fortune Road W.  
Middletown, n.Y. 10940

✓ Dlorah Est. Inc.  
P.O. Box 4053  
New Windsor, N.Y. 12550

✓ Devitt, John L. & James E.  
59 Windsor Highway  
New Windsor, N.Y. 12550

✓ Bennell Hanover Associates  
C/O Duke & Benedict Inc.  
1 North Broadway  
White Plains, N.Y. 10601

✓ Olympia, Peter M.  
16 Russell road  
Newburgh, N.Y. 12550

✓ Town of New Windsor  
555 Union Avenue  
New Windsor, N.Y. 12550

✓ Ruscitti, Joseph & Ida  
P.O. Box 227  
Walden, N.Y. 12586

✓ ERIZIE - LACKAWANNA. RR.  
1300 MIDLAND BLDG.  
CLEVELAND, O. 44115

Respectfully submitted,

PAULA KING  
Acting Assessor  
Town of New Windsor

(914) 565-8550

555 Union Avenue  
New Windsor, N. Y. 12550  
June 5, 1978

*P.H. - June 26th 8:15 am*

Witfield & Remick  
35 Wisner Avenue  
Newburgh, N. Y. 12550

RE: APPLICATION FOR VARIANCE (AREA) BEFORE ZONING BOARD OF APPEALS  
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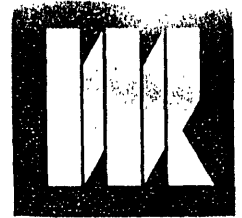
Very truly yours,

PATRICIA RAZANSKY, Secretary

/pr

Enclosures

cc: Howard Collett, Bldg./Zoning Inspector  
Town of New Windsor



**WITFIELD  
& REMICK**  
architects

35 wisner avenue  
newburgh, new york  
(914) 561-9100 12550

June 7, 1978

Mr. Howard Collett  
Building Inspector  
Town of New Windsor  
555 Union Avenue  
New Windsor, New York 12550

Re: Monarch Metal Products, Inc.

Dear Mr. Collett:

We are attaching herewith, one copy of the site plan for the Monarch Metal Products, Inc. on MacArthur Avenue, New Windsor, New York. We have indicated on the plan, two additions to the existing building. The first phase of construction will be to the North and will be approximately 9,790 sq. ft. Since the existing building is within 2'-2" of the property line, which is contrary to the zoning ordinance requirements of 15', we have indicated the new addition to run parallel to the property line with the same 2'-2" clearance.

*only one needed -*

The addition to the East will be approximately 20,000 sq. ft. and will be in conformance with all zoning setbacks.

Since the President of Monarch Metals is very anxious to begin construction on this project, we would hope that the above described additions would be acceptable to you so that he can move forward immediately without waiting for zoning board and public meetings.

I have asked Mr. Thomson of our office to hand carry this letter and drawing to you and to discuss the matter in more detail. We hope that you concur with our conclusions.

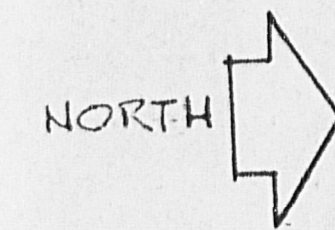
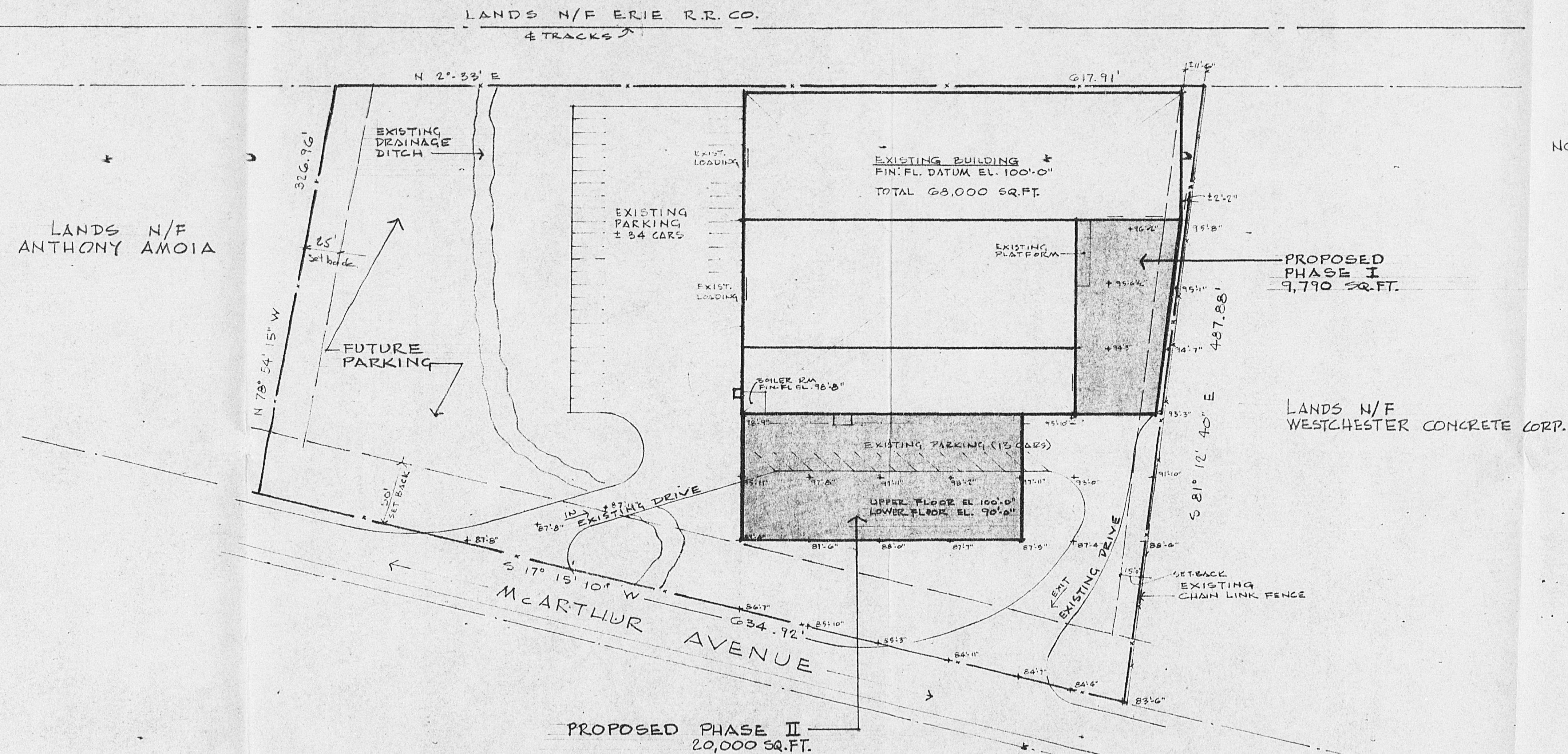
Very truly yours,

CONRAD R. REMICK, A.I.A.  
WITFIELD AND REMICK  
ARCHITECTS

CRR:csl

Enclosure

donald a. witfield  
conrad r. remick, a.i.a.



**SITE INFORMATION**

DISTRICT - PI  
AREA - ±5.8 ACRES  
SECTION - 9

BLOCK - 1  
LOT NO. - 52

**LEGEND**

100'-0" = EXISTING FIN. GRADE

**SITE PLAN**  
SCALE - 1" = 50'-0"



MONARCH METAL  
PRODUCTS, INC.  
McARTHUR AVENUE, NEW WINDSOR, N.Y.

Dated 6 JUNE 1978  
Drawn By E.T.  
Checked By

SITE PLAN - PROPOSED PHASE I  
& PHASE II ADDITIONS

DWG. NO.  
S-1